

**COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF TELECOMMUNICATIONS AND ENERGY**

Petition of Massachusetts Electric Company and Nantucket)
Electric Company for approval of a Rate Reconciliation)
and Adjustment filing)

D.T.E. 03-126

**ATTORNEY GENERAL'S SECOND SET OF
DOCUMENT AND INFORMATION REQUESTS**

INSTRUCTIONS

1. These Document and Information Requests call for all information, including information contained in documents, which relates to the subject matter of the requests and which is known or available to Massachusetts Electric Company and Nantucket Electric Company or to any individual or entity sponsoring testimony or retained by the Companies to provide information, advice, testimony or other services in connection with this proceeding.
2. Where a Request has a number of separate subdivisions or related parts or portions, a complete response is required to each such subdivision, part, or portion. Any objection to a Request should clearly indicate the subdivision, part, or portion of the Request to which it is directed.
3. If information requested is not available in the exact form requested, provide such information or documents as are available that best respond to the Request.
4. These requests are continuing in nature and require supplemental responses when further or different information with respect to the same is obtained.
5. Each response should be furnished on a separate page headed by the individual Request being answered. Individual responses of more than one page should be stapled or bound and each page consecutively numbered.

6. Each Document and Information Request to "Please provide all documents..." or similar phrases includes a request to "identify" all such documents. "Identify" means to state the nature of the document, the date on which it was prepared, the subject matter and the titles and the names and positions of each person who participated in the preparation of the document, the addressee and the custodian of the documents. To the extent that a document is self-identifying, it need not be separately identified.
7. For each document produced or identified in a response which is computer generated, state separately (a) what types of data, files, or tapes are included in the input and the source thereof, (b) the form of the data which constitutes machine input (e.g., punch cards, tapes), (c) a description of the recording system employed (including descriptions, flow charts, etc.), and (d) the identity of the person who was in charge of the collection of input materials, the processing of input materials, the data bases utilized, and the programming to obtain the output.
8. If a Document and Information Request can be answered in whole or part by reference to the response to another Request served in this proceeding, it is sufficient to so indicate by specifying the other Request by participant and number, by specifying the parts of the other response which are responsive, and by specifying whether the response to the other Request is a full or partial response to the instant Request. If it constitutes a partial response, the balance of the instant Request must be answered.
9. If the Company cannot answer a Request in full, after exercising due diligence to secure the information necessary to do so, state the answer to the extent possible, state why the Company cannot answer the Request in full, and state what information or knowledge is in the Company's possession concerning the unanswered portions.
10. If, in answering any of these Document and Information Requests, you feel that any Request or definition or instruction applicable thereto is ambiguous, set forth the language you feel is ambiguous and the interpretation you are using responding to the Request.
11. If a document requested is no longer in existence, identify the document, and describe in detail the reasons the document is unavailable.
12. Provide copies of all requested documents. A response which does not provide the Attorney General with the responsive documents, and requests the Attorney General to inspect documents at any location is not responsive.

13. If you refuse to respond to any Document and Information Request by reason of a claim or privilege, or for any other reason, state in writing the type of privilege claimed and the facts and circumstances you rely upon to support the claim of privilege or the reason for refusing to respond. With respect to requests for documents to which you refuse to respond, identify each such document.
14. Each request for information includes a request for all documentation which supports the response provided.
15. Provide two copies of each response.
16. The terms “Company” or “Companies” refer to Massachusetts Electric Company and Nantucket Electric Company. Unless the request specifically provides otherwise, the term Company includes all witnesses, representatives, employees, and legal counsel.
17. Please furnish each response on a separate sheet of paper, beginning with a restatement of the question.

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**ATTORNEY GENERAL'S SECOND SET OF
DOCUMENT AND INFORMATION REQUESTS**

The following is the Attorney General's Second Set of Document and Information Requests in the above referenced docket.

- AG-2-1 Referring to the responses in AG-1-1 and AG-1-2, please explain the discrepancy in the two "disputed" uplift costs and expenses incurred through September 30, 2003 (\$27,472,220.24 vs. \$26,244,800). Include an explanation of where and how the Company recovers the approximately \$1.2 million difference.
- AG-2-2 Referring to the confidential response in AG-1-5, please explain why the total amount claimed by "Claimants" and reflected in the table on p. 4 of the Arbitration Decision differs from the "disputed" uplift costs and expenses incurred through September 30, 2003, of \$27,472,220.24. Explain this discrepancy in light of the different "period ending" dates (December 31, 2002 and September 30, 2003).
- AG-2-3 Referring to the confidential response in AG-1-5, please state whether the costs for which the supplier was held responsible as of a certain date reduces or is otherwise to be deducted from the "disputed" uplift costs and expenses incurred through September 30, 2003, of \$27,472,220.24.
- AG-2-4 Please state whether the Company is seeking recovery of any of the costs sought in docket D.T.E. 03-67 in this reconciliation proceeding. Specify any amounts from docket D.T.E. 03-67 that the Company seeks in this matter.
- AG-2-5 Please state whether the Company seeks to recover any costs in this proceeding in excess of those permitted under the Restructuring Settlement Agreement approved in docket D.P.U. 96-24 and the Settlement Agreement approved in

docket D.P.U./D.T.E. 97-105. Specify whether the Company intends to file any tariffs with rates in excess of those permitted under the Restructuring Settlement Agreement approved in docket D.P.U. 96-24 and the Settlement Agreement approved in docket D.P.U./D.T.E. 97-105.

AG-2-6 Referring to the confidential response in AG-1-5, please state whether there are any dispute resolution proceedings pending with any Standard Offer suppliers other than US Gen New England, Inc.(see confidential response AG-MECO-1-5 in docket D.T.E. 03-124). State whether the Company intends to seek recovery of any disputed costs and expenses from the foregoing dispute resolution proceedings in this reconciliation proceeding. If yes, please provide the amount of these costs that have been incurred through September 30, 2003. Include the monthly costs by category and vendor, all documents supporting the Company's claim that these costs are, or may be, the Company's responsibility, including copies of all settlements, court orders and mediation/arbitration orders and decrees.

AG-2-7 Please provide the requested Standard Offer supplier dispute resolution information in the table below. Column A should contain actual supplier names (e.g., supplier X or supplier Y). Column B should describe the type(s) of charges being disputed (e.g., uplift, congestion, etc.). If there is more than one disputed contract for a supplier, please place it in a separate row so that separate entries in columns C, D, and E can be made. Column C should show the amount involved and the party currently making the payments or incurring the costs. Column D should show the amount of the Company's portion of Column C (if any) that is already in rates. Please provide a yearly breakdown of this information. Column E should describe the current disposition (whether already resolved by an arbitrator for \$X dollars in favor of supplier or Company; or awaiting court or arbitrator decision) of the matter.

Supplier Col. A	Reason for Dispute Col. B	Amount in Dispute Col. C	Amount of Col. C Already in Rates Col. D	Current Disposition Col. E
Supplier X				
Supplier Y				

AG-2-8 Please reconcile and explain the difference between the March 2000 US Gen NE total for Mass Electric and Nantucket (\$1,246,980.69) (see AG-1-2, Attachment-Summary of Disputed Costs) and the invoice provided in AG-1-1 (page 19) for

the same supplier and month (\$967,728.09).

AG-2-9 Please define and explain the “Disputed Funds Release” item on the invoice provided in AG-1-1 for August, 2000 (page 113).

AG-2-10 Please explain the rationale for the selection of a single month of kWh data as the allocator of forecasts of 2004 to standard offer service. Include both the rationale for using a single month as a constant forecast and the rationale for the choice of a particular month (i.e., latest month available, typical month, etc.).

Dated: March 16, 2004